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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,604	08/23/2003	James J. deBlanc	2003122294-1	9805
22879	7590 04/05/2005		EXAM	INER
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD			PALMER, PHAN T H	
INTELLECTUAL PROPERTY ADMINISTRATION	ART UNIT	PAPER NUMBER		
FORT COLLINS, CO 80527-2400			2874	

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    The MAILING DATE of this communication appears on the cover sheet with the correspondence address —   Period for Reply			Application No.	Applicant(s)				
PHANT.H. PALMER  - The MAILING DATE of this communication appears on the cover sheet with the correspondence address —  Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  E detacinate of time may be available under the proteins of 37 CFR 1.156(a). In no event, however, may a reply be timely filled after SIX (6) MONTHS from the making date of this communication.  If the period for reply specified above is less than thirty (30 days, a reply within the statistical or this communication.  Failure to reply verified above is less than thirty (30 days, a reply within the statistic or proteins of the considered timely.  If the period for reply specified above is less than thirty (30 days, a reply within the statistic or proteins of the proteins of the seminary of the considered timely.  Failure to reply within the set or extended period for reply will, by stitutia, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office laber than three months after the mailing date of this communication, even if timely filed, may reduce any seamed patent term adjustment. See 37 CFR 1.704(b).  Status  1) Responsive to communication(s) filed on 23 August 2003.  2a) This action is FINAL.  2b) This action is non-final.  3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-33 is/are pending in the application.  4) Claim(s) 1-31 is/are rejected.  7) Claim(s) 1-31 is/are rejected.  7) Claim(s) 1-31 and 17 is/are rejected.  7) Claim(s) 2-16 and 18-33 is/are objected to by the Examiner.  10) The drawing(s) filed on 23 August 2003 is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.25(a).  Replacement drawing sheet(s) including the correction i	Office Action Summary		10/646,604	DEBLANC ET AL.				
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PHANT H PAI MED				Chan T. H. Palmen PHANT. H. PALMER				
Attachment(s)  1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152) Potential Patent Application (PTO-152) Other:	Notice Notice	of References Cited (PTO-892) of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449 or PTO/SB/0	Paper No(s)/Mail Da	PRIMARY EXAMINER  04/04/2005  (PTO-413) ate				

## **DETAILED ACTION**

**1.** Applicant's cooperation is requested in correcting any error of which applicant may become aware in the specification.

#### Information Disclosure Statement

2. The information disclosure statement submitted on 08/23/2003, and 01/23/2004, has been considered by the examiner and made of record. See attached form PTO-1449.

#### **Drawings**

3. This application has been filed with formal drawings.

## Claim Objections

4. Claim 30 is objected to because of the following informalities: the claim 30 cannot depend on claim 38. Appropriate correction is required.

## Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35U.S.C. 102 that form the basis for the rejections under this section made in thisOffice action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Simon et al (US 2003/0215197 A1).

The Simon et al. reference discloses in figure 1 and in page 1, lines 19-22 as "The combined optical and electrical transmission line (100) is made by coating the cladding (106) of the optical fiber (102) with an electrically-conductive material, such as silver or copper, to form the conductive sleeve (108)".

With regard to claims 1 and 17, the Simon et al reference fully discloses, a method of forming an optical communication path, comprising: forming an optical path (104) for carrying optical communications; and forming an electrically conductive cladding (106) along the optical path for carrying at least one of electrical power, control, and data along the optical path.

#### Allowable Subject Matter

6. Claims 2-16, and 18-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Simon et al reference does not disclose wherein at least a portion of the optical communication path is formed within a channel of a planar layer, or optical path is substantially non-cylindrical.

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The underlined limitations are critically, since the optical communication path is formed within a channel of a planar layer (it is not an optical fiber communication). This optical communication path is improved in communication system as avoid degrade the quality of the signals, avoid electromagnetic interference (EMI) that require costly shielding and reduce cost and complexity of the printed circuit board.

#### CONTACT INFORMATION

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHAN T.H. PALMER whose telephone number is (571) 272-2354. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RODNEY B. BOVERNICK can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Art Unit: 2874

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PTHP 04/04/05

> PHANT. H. PALMER PRIMARY EXAMINER 04/04/2005